

*Bruce A. Markell*

Honorable Bruce A. Markell  
United States Bankruptcy Judge



Entered on Docket  
February 13, 2013

**TIFFANY & BOSCO, P.A**

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U.S. Bank National Association, as Trustee for SG Mortgage Securities Asset Backed Certificates,  
Series 2006-FRE2

and

**WELLS FARGO BANK, N.A.**  
TB# 09-76201

**UNITED STATES BANKRUPTCY COURT**

**DISTRICT OF NEVADA**

In Re:

Denise Fuleihan

Debtor.

11-17331-bam

Date: February 4, 2013  
Time: 2:30 pm

Chapter : 7

**ORDER RE: MOTION FOR SUMMARY JUDGMENT**

THE COURT having considered the Secured Creditor's Motion for Summary Judgment, having reviewed the briefs and documents before it, and after hearing oral arguments thereon:

HEREBY FINDS AND ORDERS AS FOLLOWS:

- 1     1. The Motion for Summary Judgment is granted because there does not exist any issues of material
- 2     fact necessitating a trial.
- 3     2. The Debtor is barred from raising any objections to the Proof of Claim.
- 4     3. The Debtor is further barred from raising any claims already adjudicated in the Federal District
- 5     Court, Case No. 2:09-cv-01877-RCJ-PAL, as well as any claims that could have been raised
- 6     pursuant to the doctrines of Res Judicata and Claim Preclusion.
- 7     4. The automatic stay terminated by operation of law when the Debtor received her Chapter 7
- 8     discharge.
- 9     5. The Court grants relief from the automatic stay as to the Chapter 7 trustee and the estate.
- 10    6. Pursuant to Federal Rule of Bankruptcy Procedure 7052 the remaining findings of fact and
- 11    conclusions of law as issued orally by this Court at the hearing are incorporated into this Order.
- 12    7. The trial currently set for February 11<sup>th</sup> and 13<sup>th</sup>, 2013 is hereby vacated.

13  
14 Submitted by:

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Tiffany & Bosco, P.A.

16 /s/ Gregory L. Wilde

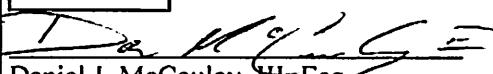
17 Gregory L. Wilde, Esq.  
Attorney For Secured Creditor

19 **APPROVED / DENIED**

20 /s/ Matthew L. Johnson, Esq.

21 Matthew L. Johnson, Esq.  
Attorney for Debtor

24 **APPROVED / DENIED**

25   
26 Daniel J. McCauley, III, Esq.  
Pro Hac Vice Attorney for Debtor

1 ALTERNATIVE METHOD re: RULE 9021:

2 In accordance with Local Rule 9021, counsel submitting this document certifies that the order accurately  
3 reflects the court's ruling and that (check one):

4  The court has waived the requirements set forth in LR 9021(b)(1).

5  No party appeared at the hearing or filed an objection to the motion.

6  I have delivered a copy of this proposed order to all counsel who appeared at the hearing, and  
7 any trustee appointed in this case any unrepresented parties who appeared at the hearing,  
8 and each has approved or disapproved the order, or failed to respond, as indicated below.

9 Debtor's counsel:

10  approved the form of this order  disapproved the form of this order

11  waived the right to review the order and/or  failed to respond to the document

12  appeared at the hearing, waived the right to review the order

13  matter unopposed, did not appear at the hearing, waived the right to review the order

14 Trustee:

15  approved the form of this order  disapproved the form of this order

16  waived the right to review the order and/or  failed to respond to the document

17  I certify that this is a case under Chapter 7 or 13, that I have served a copy of this order with the  
18 motion pursuant to LR 9014(g), and that no party has objected to the form or content of the  
19 order.

20 I declare under penalty and perjury that the foregoing is true and correct.

21 Submitted by:

22 /s/ Gregory L. Wilde, Esq.

23 Gregory L. Wilde, Esq.

24 Attorney for Secured Creditor

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